

ITEM 16

Claimant's Proposed Amendment to Parameters and Guidelines, As Modified by Commission Staff

Penal Code Sections 628.2 and 628.6
Statutes of 1984, Chapter 1607
Statutes of 1988, Chapter 78
Statutes of 1989, Chapter 1457

California Department of Education's
"Standard School Crime Reporting Forms"

School Crimes Statistics Reporting and Validation

Amended to Include

Penal Code Sections 628.2, 628.6
Statutes of 1992, Chapter 759
Statutes of 1995, Chapter 410

Title 5, California Code of Regulations, Sections 700-704

California Department of Education Guidelines for School Crimes Reporting

School Crimes Reporting II

EXECUTIVE SUMMARY

Summary of the Mandate

Under the School Crimes Reporting Program, school districts were required to report crimes that occurred on school grounds, using a specific form, to the California Department of Education (CDE). In 1994, the Legislature suspended the School Crimes Reporting Program (*School Crimes Reporting I*) for one year due to inconsistent and inaccurate data reported by the schools, and directed the CDE to revise the reporting procedures by July 1, 1995 (*School Crimes Reporting II*).

In its Statement of Decision for *School Crimes Reporting II*, dated March 30, 2000, the Commission on State Mandates (CSM) determined that the new test claim legislation, regulations, and guidelines impose a reimbursable state mandate. The Claimant's Proposed Amendment to Parameters and Guidelines, dated March 28, 2000, would amend the original Parameters and Guidelines to include the activities determined by the CSM to be reimbursable in *School Crimes Reporting II*.

The CSM received comments from the State Controllers Office (SCO), dated May 4, 2000, and from Girard & Vinson, Interested Party, dated June 7, 2000. On June 7, 2000, and

June 13, 2000, the claimant filed rebuttals to the SCO and Girard & Vinson responses, respectively.

Staff Analysis

Staff reviewed the claimant's proposal and the comments received. Based upon this review, staff modified the Claimant's Proposed Amendment to Parameters and Guidelines. Staff released a Draft Staff Analysis on August 7, 2000.

On August 23, 2000, staff conducted a prehearing conference. The claimant and representatives from the Education Mandated Cost Network, Department of Finance, State Controller's Office, and Vavrinek, Trine, Day, & Co. attended. The parties discussed training costs and agreed that training is reasonable and necessary in order to carry out this mandate. However, due to the variety of methods districts use to implement the program and the numerous classifications of personnel involved, the parties agreed it was not possible to specify an acceptable level of training for each employee. Accordingly, staff found that the claimant's proposed language for reimbursement for training should not be modified. All parties also agreed to technical clarifying changes proposed by the Department of Finance.

The Final Staff Analysis reflects changes made by staff to the claimant's proposal.

Staff Recommendation

Staff recommends that the CSM adopt the claimant's Proposed Amendment to Parameters and Guidelines, as modified by CSM Staff.

Chronology

10-24-91	CSM adopts consolidated Parameters and Guidelines for the School Crimes Statistics Reporting and Validation Programs
03-30-00	CSM approves School Crimes Reporting II Program test claim
03-28-00	Claimant submits Proposed Amendment to School Crimes Reporting I Parameters and Guidelines to include School Crimes Reporting II Program.
05-04-00	SCO submits comments
06-07-00	Girard & Vinson, Interested Party, submits comments
06-07-00	Claimant submits rebuttal to SCO comments
06-13-00	Claimant submits rebuttal to Girard & Vinson comments
08-07-00	Draft staff analysis is released
08-23-00	Prehearing conference is conducted
09-12-00	Final staff analysis is released

Summary of the Mandate

Under the School Crimes Reporting Program, whenever an incident of crime occurred at a school, the school site determined whether the incident constituted a reportable crime. If the school site determined the incident was reportable, the Standard School Crime Form was completed and forwarded to the school district. The district compiled and aggregated the forms and sent them to the California Department of Education (CDE), or its designee, twice per year.

In 1994, the Legislature suspended the School Crimes Program for one year due to inconsistent and inaccurate data reported by the schools and directed the CDE to revise the reporting procedures by July 1, 1995.

The Legislative intent expressed in Statutes of 1995, Chapter 410, provides:

“There is a need for consistent and accurate reporting of incidents of school crime occurring on school campuses and in county-operated education programs.

Therefore, the Legislature intends for procedures for reporting school crime to be clarified in statute and regulation.”

In response to the Legislature’s directive, the CDE adopted regulations, effective September 13, 1995, defining the reportable crimes, the reporting procedures, the guidelines for reporting, and the supporting documentation.

Moreover, the test claim legislation amended both Penal Code sections 682.2 and 682.6 requiring the CDE to identify guidelines for reporting, documenting, and validating incidents of crime for each crime description. Section 628.6 provides that the CDE shall use the approved guidelines for the reporting, documenting, and validating incidents of crime for each crime description to assess the accuracy of school crime data submitted. The CDE is also required to inform school districts of the new guidelines, which in turn must inform school sites of the guidelines.

In 1995, in response to the test claim legislation, the CDE released its guidelines entitled *Understanding and Reporting School Crime*. Government Code section 17516 defines an “executive order” to include “any order, plan, requirement, rule, or regulation issued by any agency, department, board, or commission of state government.” Since the Legislature amended Penal Code sections 628.2 and 628.6 requiring the CDE to identify guidelines for reporting the incidents of crime for each crime description, the CSM found that the CDE guidelines represent an executive order. The CSM further found that the activities required under the test claim legislation and regulations constituted a reimbursable state mandate.

Staff Analysis

Staff reviewed the claimant’s proposal and the comments received. Based upon this review, staff modified the Claimant’s Proposed Amendment to Parameters and Guidelines, which is attached hereto and discussed below.

Staff did not receive comments on, or make any substantive changes to, sections I. Summary of the Mandate, II. Eligible Claimants, and III. Period of Reimbursement.

Staff’s review and modifications to Claimant’s Proposed Amendment to Parameters and Guidelines are as follows:

IV. Reimbursable Activities

B. Cross-Checking Data

The SCO suggested adding language to clarify that this component involves only completed reports that are cross-checked with other site-level data. The claimant disagreed and explained that the change would unnecessarily complicate the claiming process. Staff finds that the change is unnecessary. According to the CSM’s Statement of Decision, each form must be cross-checked with other records to ensure all reportable incidents have been recorded (school site activity) and cross-checked for accuracy (school district and county office of education activities). Accordingly, the number of forms completed and the number cross-checked should be the same. Therefore, staff did not amend the claimant’s proposed language.

H. Policies, Procedures, and Systems

The SCO suggested amending this section to allow for one-time costs for developing a school crimes reporting system and ongoing costs to revise or update the policies and procedures for the school crimes reporting system to assure all crimes are systematically reported. The claimant disagreed that development of a system should be a one-time cost. Staff finds that development of the system and policies and procedures is a one-time activity. Staff further finds that it is reasonably necessary to include updating or revising the system and policies and procedures, as needed, as an ongoing activity. Staff amended the Parameters and Guidelines accordingly.

I. Training

The SCO suggested changing the claimant's proposed language to conform to the Statement of Decision, which allows reimbursement for school districts to "train staff to complete the new school crime reporting form." The claimant argued that this restricting language would eliminate training that is necessary and reasonable. The claimant explained that the required training is not limited to completion of forms, rather, it is required for the entire system, policies and procedures, and methods the district may use to carry out the mandate.

At an August 23, 2000, prehearing conference on this item, all parties agreed that a certain level of training is reasonable and necessary in order to carry out the mandate. The parties generally agreed that, due to the variety of methods districts use to implement the program and the numerous classifications of personnel involved, it was not possible to specify a set level of training for each employee. Therefore, staff did not change the claimant's proposed language allowing reimbursement "for school districts to train school district personnel on school crime reporting procedures and any changes in the state's CSSA reporting program."

V. Uniform Allowance

Components A-E

The California Code Regulations, section 1183.1, subsection (7), provides that, "Whenever possible, an allocation formula or uniform allowance should be used as the basis for reimbursement."¹ The uniform time allowances for components A-E in the subject Parameters and Guidelines were proposed by the claimant. Staff makes no finding as to the reasonableness of the uniform times proposed. The Department of Finance did not comment on the uniform times.

Girard and Vinson questioned whether the unit time allowed for components A-E pertained to each employee performing the activity or each report completed. The claimant responded that the unit time is the total time allowed for all activities listed under that component. Staff finds that, if more than one employee spends time on the component, the total time must be allocated accordingly. For example, the uniform time for component A allows for a total of 1.7 hours per report for completing all activities in that component, regardless of how many employees were involved. Staff added a brief explanation regarding this issue to Section V.

Girard and Vinson noted that the proposed uniform time allowances for components A-E do not allow for use of contracted services, since the formulas include only salaries of school personnel. They suggested using uniform costs rather than uniform times. The claimant explained that uniform times were used because more than one employee (which may have different salaries) may spend time on the component, and because different districts may use different types of personnel (at different salaries) to perform the tasks. Alternatively, Girard and Vinson requested modification of the Parameters and Guidelines to give school districts the option to claim actual costs or unit costs. This way, if a district used contracted services, or experienced extraordinary costs, it could claim actual costs.

The Parameters and Guidelines, in Section VI. Claim Preparation, A. Direct Costs, 3. Contract Services, allows for the use of contracted services. The proposed uniform time allowances, as written, allow for the use of contracted services. Therefore, staff did not change

¹ See also Government Code section 17557, subdivision (b).

the Parameters and Guidelines to allow for uniform cost allowances instead of uniform time allowances. The claimant suggested the following addition to Section VI.A.3.: “If a contractor performs the activities listed in Components A, B, C, D, or E, of part IV. Reimbursable Activities, list the hourly contract rate for the contractor’s personnel who performed the activities when using the uniform allowance.” Staff made this clarification.

Regarding components A-E, there is nothing in the record that indicates any circumstances, which would cause a school district to incur additional costs to implement this mandate, which have not already been incorporated in the uniform allowances. Staff therefore finds that school districts incurring unique costs within the scope of the reimbursable mandated activities may submit a Request to Amend the Parameters and Guidelines to the CSM for any identified unique costs to be approved for reimbursement, subject to the provisions of California Code of Regulations, Title 2, section 1183.2. Staff included this finding under new subdivision C. Exceptional Costs for Components A-E to Section VI. Claim Preparation.

A. Uniform Allowances for Component A

The proposed uniform time allowance of 1.7 hours for this component is for collecting and submitting specified data, which includes investigation time and completion of the form. However, investigation time may not be claimed if it was claimed under another mandate. Girard and Vinson questioned how a school district would claim time for completing the form if the investigation time was claimed under another mandate. Staff finds that, if investigation time is claimed under another mandate, claimants would still be eligible for reimbursement for the remaining activities in component A. Therefore, the claimant proposed a uniform time allowance of .2 hours for the remaining activities. Staff made this change in the Parameters and Guidelines.

E. Uniform Allowances for Component E

Girard and Vinson argues that the phrase “site or program location” in the uniform allowance proposed by the claimant for component E is vague. The claimant noted that the terms “programs” and “sites” have the same meaning as in Penal Code section 628.6, the source of this mandated activity. Section 628.6 requires that “Each district and county office of education shall in turn notify their respective schools, programs, and sites of the guidelines...” Staff revised this section of the Parameters and Guidelines to match the language in Penal Code section 628.6 and therefore recommends a uniform time allowance for each “school, program and site.”

VI. Claim Preparation

The changes made to this section are discussed above in Section V. Uniform Allowance.

VII. Supporting Data

Girard and Vinson submitted that the proposed language was limiting and suggested changing the phrase “required source documents” to “source documents include but are not limited to.” The claimant responded that the proposed language should not be amended because the documents listed are *required* for components reimbursed on the basis of uniform time allowance, though districts may maintain other documents at their option. Staff finds that the claimant’s proposed language is accurate and therefore did not amend this sentence.

Girard and Vinson noted that the proposed retention period should be changed from three years to two years, pursuant to Government Code section 17558.5. The claimant agreed. Staff finds

that section 17558.5 provides that reimbursement claims are subject to audit by the Controller no later than two years (1) after the end of the calendar year in which the reimbursement claim is filed or last amended, or, (2) if no funds are appropriated for the program for the fiscal year for which the claim is made, the date of initial payment of the claim. Therefore, staff conformed this sentence to section 17558.5.

VIII. Offsetting Savings and Other Reimbursement

IX. Required Certification

Staff did not receive comments on, or make changes to, section IX.

Staff Recommendation

Staff recommends that the CSM adopt the claimant's Proposed Amendment to Parameters and Guidelines, as modified by CSM Staff.

Parameters And Guidelines

Penal Code Sections 628.2 and 628.6
and

California Department of Education's
"Standard School Crime Reporting Forms"

Statutes of 1984, Chapter 1607

Statutes of 1988, Chapter 78

Statutes of 1989, Chapter 1457

School Crimes Statistics Reporting and Validation

Amended to Include

Statutes of 1992, Chapter 759

Statutes of 1995, Chapter 410

Title 5, California Code of Regulations sections 700-704

California Department of Education Guidelines for School Crimes Reporting

School Crimes Reporting II

I. SUMMARY OF THE MANDATES

~~Chapter 1607~~, Statutes of 1984, Chapter 1607, added section 628, 628.1, and 628.2 to the Penal Code to establish the requirement that school districts collect and report data regarding crimes committed within their jurisdiction.

~~Chapter 78~~, Statutes of 1988, Chapter 78, amended section 628.2 to include county offices of education in the reporting program, specify certain school district and county office of education personnel as being responsible for the timely filing of the school crime reports, and added Education Code section 14044 which imposes a sanction upon school districts and county offices of education for failure to timely file.

At its hearing of May 22, 1990, the Commission on State Mandates found that Penal Code section 628.2, as added by Statutes of 1984, Chapter 1607, ~~Statutes of 1984~~ and amended by Statutes of 1988, Chapter 78, ~~Statutes of 1988~~, and the Standard School Crimes Reporting Forms and corresponding instructions, imposed a new program or higher level of service upon school districts within the meaning of section 6, article XIII B of the California Constitution.

~~Chapter 1457~~, Statutes of 1989, Chapter 1457, made the following changes to the Penal Code: amended section 626.1 to require school superintendents, at the request of the State Superintendent of Instruction, to notify parents of the contents and availability of the Attorney General's school crime handbook; amended section 628.2 to extend the reporting due date from January to March and required school site administrators to be provided information on the reporting criteria; added section 628.4 which requires the California Department of Education to distribute to all schools an annual school crime report; added section 628.5 which requires the California Department of Education to identify criteria for validating the reported incidence of each crime description; and added section 628.6 which requires the California Department of

Education to inform school districts and districts to inform school sites of the new validation criteria.

At its hearing of May 30, 1991, the Commission on State Mandates found that Penal Code section 628.2, as amended by [Statutes of 1989](#), Chapter 1457, ~~Statutes of 1989~~, and Penal Code section 628.6, as added by [Statutes of 1989](#), Chapter 1457, ~~Statutes of 1989~~, imposed a new program or higher level of service upon school districts within the meaning of section 6, article XIII B of the California Constitution.

~~Chapter 759~~, Statutes of 1992, ~~Chapter 759~~, made certain non-substantive changes to Penal Code section 628.2. ~~Chapter 759/92 and~~ continued the state-mandated school crimes reporting and validation procedures. Chapter 410, Statutes of 1995 provided Legislative intent that the school crimes reporting procedures be clarified by regulation and amended Penal Code sections 628.2 and 628.6 to add Department of Education guidelines to the list of documents that school districts are required to provide to each school. Title 5, California Code of Regulations sections 700-704 effective September 13, 1995, imposed a more detailed set of school crime reporting procedures on school districts.

~~At its hearing of February 24, 2000~~In its Statement of Decision adopted March 30, 2000, the Commission on State Mandates found that Penal Code sections 628.2 and 628.6, as amended by [Statutes of 1992](#), Chapter 759, ~~Statutes of 1992~~, and [Statutes of 1995](#), Chapter 410, ~~Statutes of 1995~~, title 5, California Code of Regulations sections 700-704, and the California Department of Education Guidelines for School Crimes Reporting ~~all~~ imposed a new program or higher level of service upon school districts within the meaning of section 6, article XIII B of the California Constitution.

II. ELIGIBLE CLAIMANTS

Any "school district", as defined in Government Code section 17519, except for a community college district, which incurs increased costs as a result of this mandate is eligible to claim reimbursement.

III. PERIOD OF REIMBURSEMENT

Section 17557 of the Government Code, prior to its amendment by [Statutes of 1998](#), Chapter 681, ~~Statutes of 1998~~, stated that a test claim must be submitted on or before December 31 following a given fiscal year to establish eligibility for that year. The initial test claim for this mandate was filed on December 18, 1989, therefore all mandated costs incurred on or after July 1, 1988, for implementation of [Statutes of 1984](#), Chapter 1607, ~~Statutes of 1984~~ and [Statutes of 1988](#), Chapter 78, ~~Statutes of 1988~~ (*School Crimes Reporting*) are reimbursable. The second test claim for this mandate was filed on November 30, 1990, therefore all mandate costs incurred on or after January 1, 1990, for the implementation of [Statutes of 1989](#), Chapter 1457, ~~Statutes of 1989~~ (*School Crimes Validation*) are reimbursable. The third test claim for this mandate (*School Crimes Reporting II*) was filed on December 17, 1997. Therefore, all costs incurred on or after July 1, 1996 for compliance with the mandates in [Statutes of 1992](#), Chapter 759, [Statutes of 1995](#), Chapter 410, ~~Statutes of 1995~~, title 5, California Code of Regulations sections 700-704, and the California Department of Education Guidelines for School Crimes Reporting are eligible for reimbursement.

Eligible claimants shall have the option of filing new reimbursement claims for Fiscal Years 1996-97 through 1998-99 to claim the costs of the reimbursable activities pursuant to these amended Parameters and Guidelines. If an eligible claimant exercises this option, the new reimbursement claim or claims shall include a reduction under “other reimbursements” for any payments received on the original reimbursement claims for the *School Crimes Statistics and Reporting and Validation* mandate for the applicable fiscal year. The State Controller’s Office shall process and pay the reimbursement claims, if any, filed by any eligible claimants that do not exercise this option pursuant to the original Parameters and Guidelines and the statutory provisions that applied to those claims when filed.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Section 17561, [subdivision](#) (d) (3) of the Government Code, all claims for reimbursement of initial years' costs shall be submitted within 120 days of issuance of claiming instructions by the State Controller.

If the total costs for a given fiscal year do not exceed \$200, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. REIMBURSABLE ACTIVITIES

The direct and indirect costs of labor, materials and supplies, contracted services, equipment, training, and travel incurred for the following mandate components are eligible for reimbursement:

A. On-site Data Collection

For each principal, site director, school police services director, or their designates, to collect and submit to the school district or county superintendent the data specified by the "CSSA School Crime Reporting Form" or its equivalent. This component includes time spent by school district personnel to investigate the facts necessary to determine whether an incident is reportable and to accurately complete the information required by the CSAA School Crime Reporting Form. The investigation time may not be claimed if the same time by the same personnel was claimed under the *Law Enforcement Agency Notifications* mandate or the *Pupil Suspensions, Expulsions, and Expulsion Appeals* mandate.

B. Cross-Checking Data

For school district personnel at the site level and at the district level to cross-check data in the CSSA School Crime Reporting Forms with other site-level data (for example, suspension data, maintenance logs, and theft and vandalism reports) each month to assure that the CSSA School Crime Reporting Forms are accurate and that all reportable incidents are reported, to contact the appropriate site or program CSSA administrator about necessary corrections, and to void the original CSSA School Crime Reporting Form and prepare a corrected CSSA School Crime Reporting Form when corrections are necessary.

C. Data Compilation and Reporting

For the school district or county superintendent, school police services director, or their designates, to compile the specified school crimes data, to notify the California Department of

Education or its designee about the reporting option selected by the district, and to submit the aggregated data to the California Department of Education in the manner and at the times prescribed.

D. Record Retention

For school sites and programs to retain the individual CSSA School Crime Reporting Forms and data supporting the information contained in the CSSA School Crime Reporting Forms for not less than three years after the incident was reported.

E. Reporting of Data to the Sites

For the school police services director, or other designated administrator, to provide information to each school site about the school crime reporting program, the crime description included in the reporting program, the California Department of Education Guidelines for School Crimes Reporting, and validation criteria identified by the California Department of Education.

F. Validation Process

For school district personnel to participate in validation site visits conducted by the California Department of Education or its designee.

G. Compliance with State Agency Reviews

For the school district or county office of education to respond to information required by California Department of Education regarding this mandate.

H. Policies, Procedures, and Systems

For school districts to develop a system ~~and~~ policies and procedures to assure that all crimes are systematically reported (one-time) and to develop update or revise ~~and distribute school crime reporting the system and~~ policies and procedures as necessary (ongoing).

I. Training

For school districts to train school district personnel on school crime reporting procedures and any changes in the state's CSSA reporting program.

V. UNIFORM ~~COST~~ ALLOWANCES

Pursuant to Government Code section 17557, the Commission on State Mandates is adopting uniform allowances for reimbursement of the costs incurred for the activities described under Components A, B, C, D, and E of part IV, Reimbursable Activities in lieu of payment of the actual direct costs incurred for those activities. The uniform allowances cover all direct costs of performing activities described under Components A, B, C, D, and E of part IV, Reimbursable Activities.

Unit time is the total time allowed for all activities listed under the component. If more than one employee spends time on the component, the total time must be allocated accordingly. (For example, the uniform time for component A allows for a total of 1.7 hours per report for completing all activities in that component, regardless of how many employees are involved.)

A. Uniform Allowances for Component A

If school districts claim investigation time under this mandate, sSchool districts shall be reimbursed for the activities listed in Component A based upon a uniform time allowance of one hour and 42 minutes (1.7 hours) for each CSSA School Crimes Reporting Form that is completed. Reimbursement for this Component is determined by multiplying (1) the uniform time allowance times (2) the hourly salary and benefit rate for the personnel who perform these activities times (3) the number of CSSA School Crimes Reporting Forms completed by that personnel.

If school districts claim investigation time under the *Law Enforcement Agency Notifications* mandate or the *Pupil Suspensions, Expulsions, and Expulsion Appeals* mandate, school districts shall be reimbursed for the remaining activities listed in Component A based upon a uniform time allowance of 12 minutes (.2 hours) for each CSSA School Crimes Reporting Form that is completed. Reimbursement for this Component is determined by multiplying (1) the uniform time allowance times (2) the hourly salary and benefit rate for the **personnel** who perform these activities times (3) the number of CSSA School Crimes Reporting Forms completed by that personnel.

B. Uniform Allowances for Component B

School districts shall be reimbursed for the activities listed in Component B (except for contacting the appropriate site or program personnel about the need for corrections and the preparation of a new CSSA School Crimes Reporting Form when the original CSSA School Reporting Form required corrections) based upon a uniform time allowance of 30 minutes (0.5 hours) for each CSSA School Crimes Reporting Form that is completed. Reimbursement for this portion of Component B is determined by multiplying (1) the uniform time allowance times (2) the hourly salary and benefit rate for the personnel who perform these activities times (3) the number of CSSA School Crimes Reporting Forms.

School districts shall be reimbursed for contacting the appropriate site or program personnel about the need for corrections and the preparation of a new CSSA School Crimes Reporting Form when the original CSSA School Reporting Form required corrections based upon a uniform time allowance of 42 minutes (.7 hours) for each CSSA School Crimes Reporting Form that requires corrections. Reimbursement for this Component is determined by multiplying (1) the uniform time allowance times (2) the hourly salary and benefit rate for the personnel who perform these activities times (3) the number of corrected CSSA School Crimes Reporting Forms completed by that personnel.

C. Uniform Allowances for Component C

School districts shall be reimbursed for the activities listed in Component C based upon a uniform time allowance of twelve minutes (0.2 hours) for each CSSA School Crimes Reporting Form that is reported. Reimbursement for this Component is determined by multiplying (1) the uniform time allowance times (2) the hourly salary and benefit rate for the personnel who perform these activities times (3) the number of CSSA School Crimes Reporting Forms reported.

D. Uniform Allowances for Component D

School districts shall be reimbursed for the activities listed in Component D based upon a uniform time allowance of six minutes (0.1 hours) for each CSSA School Crimes Reporting

Form that is reported. Reimbursement for this Component is determined by multiplying (1) the uniform time allowance times (2) the hourly salary and benefit rate for the personnel who perform these activities times (3) the number of CSSA School Crimes Reporting Forms reported.

E. Uniform Allowances for Component E

School districts shall be reimbursed for the activities listed in Component E based upon a uniform time allowance of twelve minutes (0.2 hours) for each ~~school, program or site~~~~site or program location~~. Reimbursement for this Component is determined by multiplying (1) the uniform time allowance times (2) the hourly salary and benefit rate for the personnel who perform these activities times (3) the number of ~~schools, programs and sites~~~~school sites and program locations~~ at the school district.

VI. CLAIM PREPARATION

Each claim for reimbursement pursuant to this mandate must be timely filed and identify each cost element for which reimbursement is claimed under this mandate. Claimed costs must be identified to each component of reimbursable activities identified in Section IV of these Parameters and Guidelines.

A. Direct Costs

1. Employee Salaries and Benefits

Identify the employee(s) and/or the classification of the employee involved. Describe the mandated activities performed and the productive hourly rate, and the related benefits. For Components A, B, C, D, and E, show the time for the activities based upon the Uniform Allowances set forth in Section V. For Components F, G, H, and I, specify the number of hours devoted to the reimbursable activity. The average number of hours devoted to each activity may be claimed if supported by a documented time study.

Reimbursement for ~~personal-personnel~~ services includes compensation paid for salaries, wages, and employee fringe benefits. Employee fringe benefits includes regular compensation paid to an employee during periods of authorized absences (e.g., annual leave, sick leave) and the employer's contributions to social security, pension plans, insurance, and worker's compensation insurance.

2. Materials and Supplies

Only the expenditures which can be identified as a direct cost of the mandate can be claimed. List cost of materials and supplies which have been consumed specifically for the purpose of this mandate. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged based on a recognized method of costing.

3. Contract Services

Provide the name(s) of the contractor(s) who performed the service(s), including any fixed contracts for services. Describe the activity(ies) performed by each contractor, give the number of hours charged for the activity, if applicable, show the inclusive dates when services were performed and itemize all costs for those services. Attach consultant invoices to the claim. If a contractor performs the activities listed in Components A, B, C, D, or E, of part IV.

Reimbursable Activities, list the hourly contract rate for the contractor's personnel who performed the activities when using the uniform allowance.

4. Equipment and Other Capital Assets

List the purchase price paid for equipment and other capital assets acquired for this mandate. Purchase price includes taxes, delivery costs, and installation costs. If the equipment or other fixed assets is used for purposes other than for this mandate, only the pro rata portion of the purchase price can be claimed.

5. Travel

Travel expenses for mileage, per diem, lodging, and other employee entitlements are eligible for reimbursement in accordance with the rules of the local jurisdiction. Provide the name of the person traveling, purpose of travel, inclusive dates of travel, destination points, and travel costs.

6. Training

The cost of training an employee to perform the mandated activities, as specified in Section IV of these Parameters and Guidelines, is eligible for reimbursement. Identify the person traveling by name and job classification. Provide the title and subject of the training session, the dates attended, and the location. Reimbursable costs may include salaries and benefits, transportation, lodging, per diem, and registration fees.

B. Indirect Costs

1. School districts must use the J-380 (or subsequent replacement) non-restrictive indirect cost rate provisionally approved by the California Department of Education.

2. County offices of education must use the J-580 (or subsequent replacement) non-restrictive indirect cost rate provisionally approved by the State Department of Education.

C. Exceptional Costs for Components A-E

The Commission has not identified any circumstances which would cause a school district to incur additional costs to implement this mandate which have not already been incorporated in the uniform cost allowances for Components A-E.

School districts incurring ~~any identified~~ unique costs within the scope of the reimbursable mandate activities may submit a Request to Amend the Parameters and Guidelines to the Commission for the unique costs to be approved for reimbursement, subject to the provisions of California Code of Regulations, Title 2, section 1183.2.

VII. SUPPORTING DATA

For auditing purposes, all costs claimed must be traceable to source documents (for example, employee time records, invoices, receipts, purchase orders, contracts, worksheets, calendars, declarations, etc.) that show evidence of the validity of such costs and their relationship to the state mandated program. For Components that are reimbursed on the basis of a uniform allowance, the only required source documents are copies of the CSSA School Crimes Reporting Forms, reports to the California Department of Education, or other documents maintained by the school district that support the units claimed. ~~These documents must be kept on file by the agency submitting the claim for a period of no less than three years from the date of the final payment of the claim pursuant to this mandate, and made available on the request of the State Controller or his agent. Pursuant to Government Code section 17558.5, these documents must be kept on file by the agency submitting the claim for a period of no less than two years after the~~ later of (1) the end of the calendar year in which the reimbursement claim is filed or last amended, or (2) if no funds are appropriated for the fiscal year for which the claim is made, the date of initial payment of the claim. These documents must be made available to the State Controller on the request.

VIII. OFFSETTING SAVINGS AND OTHER REIMBURSEMENTS

Any offsetting savings the claimant experiences as a direct result of this statute must be deducted from the costs claimed. In addition, reimbursement for this mandate received from any source, e.g., service fees collected, federal funds, other state funds, etc., shall be identified and deducted from this claim.

IX. REQUIRED CERTIFICATION

An authorized representative of the claimant will required to provide a certification of claim, as specified in the State Controller's claiming instructions, for those cost mandated by the State contained herein.

[Back to Current Hearing](#)